

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

v.

NICOLAS SANTOS,

Defendant.

2:21-CR-272-JAD-DJA

Preliminary Order of Forfeiture

This Court finds Nicolas Santos pled guilty to Counts 1, 2, and 4 of a 24-Count Superseding Criminal Indictment charging him in Count 1 with conspiracy to deal in firearms without a license in violation of 18 U.S.C. §§ 371, 922(a)(1)(A), and 923(a); in Count 2 with conspiracy to distribute a controlled substance in violation of 21 U.S.C. §§ 841(a)(1) and 846; and in Count 4 with illegal possession of a machine gun in violation of 18 U.S.C. § 922(o). Superseding Criminal Indictment, ECF No. 38; Change of Plea, ECF No. __; Plea Agreement, ECF No. __.

This Court finds Nicolas Santos agreed to the forfeiture of the property set forth in the Plea Agreement and the Forfeiture Allegations of the Superseding Criminal Indictment. Superseding Criminal Indictment, ECF No. 38; Change of Plea, ECF No. __; Plea Agreement, ECF No. __.

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (b)(2), the United States of America has shown the requisite nexus between property set forth in the Plea Agreement and the Forfeiture Allegations of the Superseding Criminal Indictment and Counts 1 and 4, to which Nicolas Santos pled guilty.

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The following property is any firearm or ammunition involved in or used in any willful violation of 18 U.S.C. §§ 371, 922(a)(1)(A), 922(o), and 923(a) and any firearm or ammunition intended to be used in violation of 18 U.S.C. §§ 371, 922(a)(1)(A), and 923(a) and is subject to forfeiture pursuant to 18 U.S.C. § 924(d)(1) with 28 U.S.C. § 2461(c) and 18 U.S.C. § 924(d)(1), (2)(C), and (3)(C) with 28 U.S.C. § 2461(c):

1. Glock 45, 9mm semi-automatic pistol bearing serial number BTUD635 equipped with a Glock selector switch attached;
2. a Glock 26 Gen 4, 9mm semi-automatic pistol bearing serial number WUH775 equipped with a Glock selector switch attached;
3. 2 Glock selector switches;
4. Daniel Defense, DD5, multi caliber rifle bearing serial number DD5 002380;
5. one personally made firearm;
6. Springfield Armory, XD, 45 caliber pistol bearing serial number US744436;
7. 2 Glock selector switches;
8. Winchester, 12-gauge shotgun bearing serial number N1039055;
9. Adams Arms, AA-15 multi caliber rifle bearing serial number AA0005558;
10. Winchester, 1300 Defender, 12-gauge shotgun bearing serial number L2895478;
11. CZ, 2075 RAMI, 9 mm caliber pistol bearing serial number D218317;
12. Sportsman derringer type, .22 caliber pistol bearing serial number 018321;
13. Rohm Gesellschaft, RG 31, .38 special caliber revolver bearing serial number 016466;
14. 3 Glock selector switches;
15. 5 Glock selector switches;
16. 2 AR style personally made firearms;
17. Glock 43x, 9 mm caliber pistol bearing serial number BNUK234; and
18. any and all compatible ammunition

(all of which constitutes property).

1 This Court finds that on the government's motion, the Court may at any time enter
2 an order of forfeiture or amend an existing order of forfeiture to include subsequently
3 located property or substitute property pursuant to Fed. R. Crim. P. 32.2(e) and
4 32.2(b)(2)(C).

5 This Court finds the United States of America is now entitled to, and should, reduce
6 the aforementioned property to the possession of the United States of America.

7 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND
8 DECREED that the United States of America should seize the aforementioned property.

9 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all possessory
10 rights, ownership rights, and all rights, titles, and interests of Nicolas Santos in the
11 aforementioned property are forfeited and are vested in the United States of America and
12 shall be safely held by the United States of America until further order of the Court.

13 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States
14 of America shall publish for at least thirty (30) consecutive days on the official internet
15 government forfeiture website, www.forfeiture.gov, notice of this Order, which shall
16 describe the forfeited property, state the times under the applicable statute when a petition
17 contesting the forfeiture must be filed, and state the name and contact information for the
18 government attorney to be served with the petition, under Fed. R. Crim. P. 32.2(b)(6).

19 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual
20 or entity who claims an interest in the forfeited property must file a petition for a hearing to
21 adjudicate the validity of the petitioner's alleged interest in the property under 21 U.S.C. §
22 853(n)(2), which petition shall be signed by the petitioner under penalty of perjury under 21
23 U.S.C. § 853(n)(3) and 28 U.S.C. § 1746, and shall set forth the nature and extent of the
24 petitioner's right, title, or interest in the property, the time and circumstances of the
25 petitioner's acquisition of the right, title or interest in the property, any additional facts
26 supporting the petitioner's claim, and the relief sought.

27 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any,
28 must be filed with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas,

1 Nevada 89101, no later than thirty (30) days after the notice is sent or, if direct notice was
2 not sent, no later than sixty (60) days after the first day of the publication on the official
3 internet government forfeiture site, www.forfeiture.gov, whichever is earlier.

4 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the
5 petition, if any, shall be served upon the Asset Forfeiture Attorney of the United States
6 Attorney's Office at the following address at the time of filing:

7 Daniel D. Hollingsworth
8 Assistant United States Attorney
9 James A. Blum
10 Assistant United States Attorney
501 Las Vegas Boulevard South, Suite 1100
Las Vegas, Nevada 89101.

11 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice
12 described herein need not be published in the event a Declaration of Forfeiture is issued by
13 the appropriate agency following publication of notice of seizure and intent to
14 administratively forfeit the above-described property.

15 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send
16 copies of this Order to all counsel of record.

17 DATED: September 19, 2022.

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21 JENNIFER A. DORSEY
22 UNITED STATES DISTRICT JUDGE
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